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ESTABLISHED JUNE 19, 1871.

OMAHA, SATURDAY MORNING, DECEMBER 9, 1905-SIXTEEN PAGES.

Convicted Oregon Sena er Passes Away at Hospital in Portland.

DEATH COMES_AFTER DENTAL OPERATION

He Has Four Teeth Extracted and Slowly Bleeds to Death.

UNABLE TO STOP THE HEMORRHAGE Mr. Mitchell's Constitution Weakened by Diabetes and Other Diseases.

POWERFUL STIMULANTS RESORTED TO

Skill of Four Physicians Unable to Overcome the Effects of Bleeding and Death Ensues.

PORTLAND, Ore., Dec. 4-United States Senator John H. Mitchell died at the Good Samaritan hospital in this city at 11:40 o'clock this forenoon, death resulting from complications which followed the removal of four teeth at a dental office yesterday morning. A hemorrhage of unusual severity followed the removal of the teeth and despite the application of the most owerful stytics known to dental science the flow of blood could not be stayed Physicians were summoned to the dental office, but the combined scientific knowledge of the dentists and physicians could not stop the flow of blood. The senator's condition soon became alarming and it was decided to remove him to the hospital. When he reached the hospital he was in a very weakened condition and it became apparent that unless the flow of blood was soon stopped life would pass out.

Senator Mitchell had long been a sufferer from diabetes and other vitlating diseases and in his weakened physical condition rapidly succumbed to inevitable weakness following such violent hemorrhages and lapsed into a state of semiconsciousness early in the evening.

Hemorrhage Returns.

Four physicians, Dr. A. J. Glesy, Dr. George W. Wilson, Dr. Emil Pohl and Dr. James O. C. Wiley, worked over the senator and about 7 o'clock last night temporarily stopped the hemorrhage, but the relief was of but short duration and again the blood began to flow intermittently, continuing during the evening and through the night. At an early hour this morning a severe vomiting spell further weakened the senator, and it became more and more apparent that the end was approaching. All during the night saline solution was injected into the veins to furnish more Buid for the circulatory system and to stimulate the sluggish circulation.

The diabetic coma into which the senator lapsed grew more and more pronounced, despite the frequent use of powerful stimulants, and only occasional evidences of a certain degree of mental activity rewarded fore death the injection of saline solution was discontinued and more powerful heart stimulants resorted to, but with no effect ernment of Great Britain's readiness to on the rapidly sinking man. After daylight the senator's condition grew worse and indications of mortification became evident especially in the ankles, knees and short, spasmodic gasps. As the end approached these symptoms became more and

Senator Mitchell did not at any time realise the seriousness of his condition. When he visited the dental office yesterday he was in a weakened condition, owing to the diseases which affected him, and his request that an anaesthetic be administered was declined, the dental operator persuading him that such a course might prove harmful. The first three teeth were extracted with little or no trouble, the flow was following the removal of this that the violent hemorrhage manifested itself.

W. O. Chapman of Tacoma, Wash.; J. H. the transport. Price, his nephew; Mrs. Lottle Price, and Mrs. May Barth, nieces, all of this city. Several friends of Senator Mitchell had

Arrangements for Mr Mitchell's funeral will not be completed until Mr Mitchell's son, John H., jr., arrives. Mr. Mitchell left Minneapolis this morn-

Senator Mitchell's Successor.

Governor Chamberlain will appoint a successor to Senator Mitchell within a week. In an interview today the governor said: "I have as yet made no selection. Oregon is sorely in need of representation at

make the best selection possible."

It is almost- a certainty, however, that the new senator will be a democrat. Great pressure has already been brought to bear upon the governor to select a Portland man, whother democratic or republican. Heading this list of possibilities are Colonel C. E. S. Wood, a prominent lawyer, and Charles E. Ladd, a banker, democratic; man, republican. If the state's executive go outside the city, in the timber available is A. Bush, a banker of Salem, and one of the most prominent and able democrats in the state. Other democrats of ability are James Raley of Pendleton. Bennett of The Dalles, Senator Mitchell's chief counsel during the trial which led to his conviction, and A. E. Reams, a well feated by Binger Herrmann for congress

at the last election. Senate Lucks a Precedent. WASHINGTON, Dec. 8 .- News of the death of Senator Mitchell of Oregon ocensioned great surprise at the capitol. His illness had been of such recent date and so little was known of it that notice of his death came to the senate practically without warning. It raised a delicate question as to the duty of the senators toward their late assistant. Ordinarily when a member dies, a committee is appointed to represent the senate at the funeral services, and at the earliest opportunity the colleague of the deceased nember formally gives notice of the death and announces that later he will make more extended remarks. The senate then adjourns out of respect to the memory of the decensed.

After numerous conferences today between prominent senators and Sergeant-

(Continued on Fifth Page.)

Sir Alfred Charles Harmsworth and Sir Michael Hicks-Beach Are Created Viscounts.

LONDON, Dec. 8 .- An additional list of

the honors usually conferred on the retirement of a government was issued tonight. it includes a number of former cabinet ministers and members of the House of commons whose political services are recognized. The press is honored in the person of Sir Alfred Charles Harmsworth, proprietor of many English journals, who s created a viscount. Sir Michael Hicks-Beach, former chancellor of the exchequer, and Baron Tredegar, also, are made vis counts. Among the new barons are C. T. Ritchie, who was chancellor of the exchequer during the early part of the Balour administration; Sir W. H. Walrond, hancellor of the duchy of Lancaster: Sir Henry Meysey-Thompson, M. P.; Edmund Beckett Faber, M. P., and William H. Grenfell, M. P. Those elevated to membership in the privy council include Sir Edward Henry Carson, the retiring solic itor general; C. A. Cavendish, M. P.; Sir Charles Dalrymple, M. P., and Lieutenant Colonel Richard Mark Lockwood, M. P. Eleven well known members of the House of Commons receive baronetcies and twelve are added to the list of knights.

JAP PROFESSORS PROTEST Government Condemned for Accepting Resignation of President of

University of Tokio. TOKIO, Dec. 8 .- 7 p. m .- A strongly worded protest signed by 190 professors and instructors was presented to Katsura, the prime minister and the minister of education today. The protest condemns the action of the new ministers in accepting the resignation of the president of the university after any occasion for doing so had passed, as trampling upon the sanctity of the university's rights, independance the Equitable by paying James H. Hydeand freedom. It is thought that the sympathy of the the society.

public is with the professors. BOUQUET FOR ROOSEVELT

Baron de Constant Cables the President Thanks for Taking Initiative in Arbitration.

PARIS, Dec. 8 .- Baron D'Estournelles de Constant has cabled to President Roosevelt the thanks of the French parliamentary arbitration group on his treatment of the arbitration question in his message to congress. In the course of an interview the baron said Europe would be both gratified and confused by the president's initiative which gave the question of arbitration a practical vital status before the world at a oment when Europe lacked the courage and foresight to deal with it.

SERIOUS CHARGE IS PREFERRED French Deputy Says Secret from

Britain Was Given to Germany. PARIS, Dec. 8 .- During a disorderly session of the chamber of deputies today the untiring efforts of the physicians and Firmis Faure, republican nationalist, made nurses in attendance. Several hours be- the sensational accusation that a private dispatch from Paul Cambon, the French ambassador at London, advising the govmake an accord with France against Germany to safeguard their common interests was communicated to Germany the day after it was received here, although only Several hours before death the ac- President Loubet, the then former Minister tion of the heart at times became almost M. Delcasse and Premier Rouvier knew of imperceptible and the breath came in its existence. The premier characterized M. Faure's assertion as gossip, whereupon the deputy responded that it was a quesmore pronounced, death ensuing at 11:40 tion of high treason. At a request of the premier the discussion of M. Faure's interpellation went over until after the foreign budget had been considered.

Japanese Transport in Distress. CHE FOO, Dec. 8.-1 p. m.-Two Japanese army officers, who have arrived here in a feel that he can do another public service life boat, report that the transport Jinsen, which left Dainy for Japan two days ago with 1,000 troops and 300 horses aboard. broke its propeller between Shantung proof blood being normal. The extracting of nontory and Corean coast and is adrift. the fourth tooth was a difficult task and The two officers embarked in a life boat and came to Che Foo to seek assistance The Japanese consul here has telegraphed At Senator Mitchell's bedside when he for a man-of-war to rescue the helpless passed away were his son-in-law, Judge vessel. Some British officers are on board

FAIL TO FIND WITNESSES left the bedside shortly before his death Kansas Land Fraud Investigation Halts Because of Absence of Six

Men Wanted by Grand Jury.

TOPEKA, Kan., Dec. 8.-The investigation of one of the most important of the Kansas land fraud cases before the special federal grand jury now sitting in this city was brought to a sudden halt today by the failure of United States deputy marshals to locate the six principal witnesses in the case, for whom subpoenas Washington, but before taking action I had been issued. It is feared by the fedshall look over the situation thoroughly and eral officers that the witnesses learned select a man equal to the occasion. I shall they were to be subpoensed and left the state. The officials have not given out the identity of the missing witnesses or the case under investigation for which the

The government has been compelled to dismiss the indictment returned by the federal grand jury here against Louis Gans of the H. S. Boyce Cattle company, as it has been decided that Gans, who lived in and T. B. Wilcox, a well known flour mill the east, has been dead some time. The United States district attorney, J. S. Dean, said tonight that the grand jury would report several more indictments tomorrow for fraudulent land grabbing.

witnesses were subpoensed.

"One man," said Mr. Dean, "is to get a bitter dose. He is to be indicted for il-A. White of Baker City, Judge A. S. legal inclosure of public lands, subornation of perjury and conspiracy to promote homertead entries. This fellow was not easily satisfied. We have proof that he known lawyer of Jacksonville, who was de- put in claims on seventeen quarter soctions of land, upon which he builded that many houses."

> WESTERN MATTERS AT CAPITAL Postmasters and Rural Carriers Named for Nebraska and Iown.

(From a Staff Correspondent.) WASHINGTON, Dec. 8 .- (Succial Telegram.)-Postmasters appointed: Nebraska-Little, Holt county, Emma E. Graves vice Peter A. Just. resigned. Iowa-Aspinwall Crawford county, James E. Tracey vice J. F. Richardson, resigned.

Iowa rural routes ordered established Pebruary 1: Mount Union, Henry county, route 2, population 336, houses 82; Wayland Henry county, route 2, population 200

John J. Vetterhus has been appointed regular and George Vetterhus aubstitute cural carrier at Colton, S. D.

E. H. Harriman Wanted to Share Contro of Equitable with Him.

Transcript of Testimony Sent to District Attorney and Proprietor of Equitable Will Be Cited for Contempt.

NEW YORK, Dec. 8.-The legislative ommittee which is investigating life insurance conditions today determined to send to District Attorney Jerome a request that he institute proceedings against Thomas F. Ryan, financier and owner of the majority of the stock of the Equitab! Life Assurance society to punish Mr. Ryan for refusing to answer questions before the ommittee. Mr. Hyan had refused to an swer when asked what E. H. Harriman president of the Union Pacific and Southern Pacific railroads, had said to him when Mr. Harriman tried to induce him to share his control of the Equitable society with Mr.

Mr. Ryan was asked whether Mr. Harrinan had threatened that results disastrous o Mr. Ryan's interests would ensue or if Mr. Harriman had told him that some acion would be taken by the state legislaure, or any officer of the government, unless Mr. Ryan consented to share his stock with him. Acting on the advice of his attorney, Paul D. Cravath, Mr. Ryan declined to answer those questions, although Senator Armstrong, chairman of the committee, directed him to do so. Mr. Ryan, however, did answer one question by saying that Mr. Harriman did not tell him at that time there would be legislative investigation of the life insurance business unless he gave up part of the Hyde stock. Mr. Ryan had already told that he had secured control of \$2,600,000 for 500 shares of the total shares of

Harriman Asks a Share. "After you had bought that stock was

there any proposition to share it with you?" asked Charles E. Hughes, counsel for the "Am I obliged to answer that question?

asked Mr. Ryan. "I think you ought to, Mr. Ryan," said Mr. Hughes,

"Mr. E. H. Harriman desired to share the purchase with me and I refused to permit that," replied Mr. Ryan. Mr. Ryan said that he thought Mr. Harriman made his request on the day that Mr. Ryan bought the stock and before the

purchase was publicly announced. "What did Mr. Harriman say to to influence you to make the sale?" "I do not think, Mr. Hughes, I ought to be called upon to answer a question like

that-to characterize or state a conversation I had privately with Mr. Harriman," said Mr. Ryan. Paul D. Cravath interrupted by saying to

the chairman: "I feel bound to say to my client, Mr Ryan, that while he should testify 1 ast fully to what he did and what he planned to do, he cannot unless he choose to do so relantarily, be required to attempt to stat conversations which Mr. Harriman or any other man had with him." .

Matter Regarded as Important. To this Mr. Hughes replied

"I deem the matter important in two aspects. In the first place, that the committee may understand the motive which may actuate those who desire to obtain control of the stock of the insurance company and the proceedings which may be taken to acquire it; and second, that we may know whether there is any truth in the report that there was any suggestion that life insurance conditions in this state would be investigated if Mr. Ryan did not accede to Mr. Harriman's request. I think that we should have full light upon the transaction and I hope that Mr. Ryan will

by advising the committee fully." Mr. Crayath said that Mr. Ryan would testify freely as to facts, but that he was not required to state what Mr. Harriman

said to him on private conversation.
"Mr. Ryan," said Senator Armstrong, the committee directs you to answer the question.

The following colloguy resulted:

Mr. Ryan-I will answer it so far as to state that I refused to share the purchase with Mr. Harriman. "What did Mr. Harriman say to you in

connection with the matter?" Mr. Cravath-My advice to you is that you are not required to answer that ques-

The Chairman-Do you refuse? Mr. Ryan-I refuse to answer on the advice of counsel.

No Threat of Investigation. "Did Mr. Harriman say that there would

be any result injurious to your interests in case you refused to admit him to share in the ownership?

Mr. Cravath-I give you the same advice, Mr. Ryan, that you are not required to answer that question. Mr. Ryan-Same answer.

At the order of Benator Armstrong the last two questions were repeated to Mr. Ryan, who again refused to answer, saying he did so on "advice of counsel." Mr. Hughes then asked the following question:

"Did Mr. Harriman say to you there would be an investigation by a committee of the legislature or that steps would b taken to have an investigation by a committee of the legislature of either house of any insurance conditions or insurance companies if you did not permit him to share in the ownership?"

Mr. Cravath-The same advice. Mr. Ryan-He did not say that.

'Now, did he say that any action on th part of the legislature or any official or officer of the government would be taken in the event you refused so accede to his request ?" Mr. Cravath-I advise you not to answer

that question. Mr. Ryan-I refuse to answer on the same Q.-Now, Mr. Ryan, I think you will b

entirely free to say what you said to his Harriman? No Partner Wanted. Mr. Ryan-Well, I told Mr. Harriman

wanted to be free and did not want ans partners in the transaction. Q .- Did you tell him why? Mr. Ryan-My principal reason was tha wanted to make this trust deed in my

wn way. Q.-Did you tell him that? Mr. Ryan-I did.

Q .- What did he say to you? Mr. Cravath-I advise that you are equired to answer. Mr. Ryan. Mr. Ryan-The same answer, Mr. Chair

The Chairman-Mr. Ryan, the committee (Continued on Fifth Page.)

HONOR LIST AT LONDON RYAN REFUSES TO ANSWER SIDNEY LOSES LAND OFFICE DEALS WITH LAND FRAUDS

Business and Records Transferred to the North Platte Jurisdiction.

DECLINED TO TELL OF THEIR CONFERENCE | WASHINGTON, Dec. 8 -(Special Telegram.)-President Roosevelt today abol ished the land office at Sidney, Neb., and the affairs of this office will hereafter be conducted by Register George E. Platt and Receiver Elbridge Downs at North Platte. The land officials at Sidney who are re-lieved by this order are Robbey D. Harris. register, and James L. McIntosh, jra re-

Senator Burkett is advised that there will be no reductions in the ciercal force at the Lincoln postoffice because of the re- following is taken: moval from the capital of the plant of a well known monthly publication, which has a large circulation so it is eaid. The removal of the publication office, it was feared, would cause a reduction in the number of cierks employed at Lincoln. It appears to the court in the number of cierks employed at Lincoln. It appears to the court in the number of cierks employed at Lincoln. It appears to the court of the court of the court in the number of cierks employed at Lincoln. It appears to the court of the court of the plant of a service has been the court of the ring of conspicuous publication, which are the plant of a service has been the court of the ring of conspicuous publication. The prosecution of the ring of conspicuous publication which are the prosecution of the publication of t pears upon inquiry that had this magazine not removed its headquarters from Lincoin it was the intention of the postmaster to ask for in increase in his force. The fact off the removal of this plant merely places the postmaster at Lincoin in a position to utilize his present force without working them overtime.

Senator Burkett today secured the constant of the public land laws in that exciton and frequency and energetically prosecuted, several 12 and persistent offenders have been indicated and their trials will occur in the near future. Other cases will soon be in shape for presentation to utilize his present force without working them overtime.

Senator Burkett today secured the constant of the public land laws in that exciton and in the position of the public land laws in that exciton and in the public land laws in that exciton and its leading the public land laws in that exciton and its leading to the public land laws in that exciton and the public land laws in that exciton and its leading to the public land laws in that exciton and the publ pears upon inquiry that had this magazine

Senator Burkett today secured the con tent of the postmaster general to the employment of from fifteen to twenty substiute clerks in the Lincoln postoffice to serve uring the holiday rush.

Congressman Kinkald today communeded J. A. W. Johnson to be postmaster at Kilgore, Cherry county, vice Bylvanus Johnwho resigned.

The South Dakota delegation in congress as split on the senatorial mituation in that state. Senator Kittredge and Representa- 811.38. tives Burke and Martin have formed a hard and fast compact leaving Senator Gamble to look after himself in the way of patronage, etc. All is the result of the conest inaugurated for United States senator. Senator Camble desires to succeed himself, while Congressman Martin of the Black Hills country is outspoken for himself. Today Senator Kittredge and his associates. Burke and Martin, began the rounds of the departments with a view of pulling off any-thing in sight. Senator Gamble is herding by himself and is preparing to fight Martin n Washington as well as in South Dakota.

ARTHUR STRONG ARRESTED

Companion of John C. Hammond, Accused of Murdering Wife, Apprehended in Montann.

ALBANY, N. Y., Dec. 8-The Albany police today received word from the police of Helena, Mont., of the arrest there of Arthur Strong, of Rouse's Point, N. Y. Strong has been the companion in flight of his cousin, John Cross Hammond, a young carpenter of this city, whose wife's body was found November 25 in a trusk in their flat on South Ferry street, where it is believed to have lain for nearly two weeks.

Strong and Hammond left Rouse's Roint on the 15th and since then have traveled from Montreal to Tucson, Aris, thence into Oregon and Missoula, Mont. At Missoula cight days ago the Heleng police say Strong ran away from Hammond and wrote home to Rouse's Point for money. This led to Strong's arrest.

Hammond had upwards of \$2,000 when he remitting homesteaders to enter 640 acres of land.

started on his Journey. It is learned that Hammond and Strong did not know until they reached Portland, Ore., of the discovery of Mrs Hammond's body, and the

earch for them. At the coroner's inquest, which has been adjourned until next week, Hammond's father and mother both swore that he

confessed to them the murder of his wife.

OPERATORS GIVEN INJUNCTION

Kentucky Mine Owners Allege that Union Miners Threatened to Assassinate Them.

LOUISVILLE, Ky., Dec. 8 .- Allegations that certain union miners have threatened to blow up the mines of the Kentucky Coal company and assassinate the operators of them are contained in a petition for a restraining order which was granted this afternoon against members of the United Mine Workers in Webster and Union counties, asked for by the company.

The order is effective until the next term of the court in Owensboro, in May, 1966. The defendants to the action are eighteen members of the United Mine Workers, but not all residents of Kentucky. The complainants ask that the union min-

ers be restrained from importing labor from Illinois or any other state to overpower the present workmen in the mines, or from establishing pickets about the mines, or in any way interfering with the operation of the complainants' interests.

FUNERAL OF GYPSY

Unique Burial Rites at Camp of Mexican Nomads Near St. Louis.

ST. LOUIS. Dec. \$.- A coffin containing the body of Rosa Cruse, aged 12 years, a gypsy girl, was solemly borne by twelve Mexican gypsy men today from their camp along the Clayton road to the Clayton Catholic church, where funeral ceremonies were held. The girl had died of pneumonia. In accordance with the custom of Mexican gypsies no women were present at the funeral. Just as the coffin was carried from the church to a wagon to be conveyed to the cemetery, a bottle of champagne was placed on the lid. At the grave the bottle was opened, some champagne sprinkled on the new mound of earth and the twelve mourners, one of whom was the girl's father, drank the rest. Returning to camp more champagne was purchased for the grieving mother and her friends, and a funeral feast was held for the rest of the

VERDICT IN SPAUGH CASE Son Convicted of Murder in Pirat Degree and Mother in Second

Degree. CENTERVILLE, Mo., Dec. 8 .- The jury in the cases of Mrs. Mary Spaugh and her son William, who have been on trial on the harge of having killed Sheriff Polk at Ironon, Mo., on May 55 last, returned a verdict today convicting William of murder in the first degree and Mrs. Spaugh of murder in the second degree and sentencing her to ten years in the penitentiary. The case of Arthur Spaugh. Mrs. Spaugh's second son, who was granted a separate trial, was noninued until the May term of court.

Sheriff Polk was shot dead at the Spaugh ome, which he had entered to serve a warrant for the arrest of William Spaugh for charged misdemeanor.

Secretary Hitchcook Devotes Considerable Space in His Report to Nebraska.

POINTS OUT WEAK SPOTS IN LAND LAWS

Operar of Government in Recla-Maye Proved matf to an empirior Enterpre-

WASHINGTON, Dec. 5.-Under date of November 27 the secretary of the interior submits his annual report from which the

that the offenders will be spendity prought to justice.

There were disposed of during the fiscal year ended June 20, 20.5, public lands aggregating 17,006,622.77 acres, classified as follows: Cash saics, 1.661,001.77; mis relaneous entries, embracing home seeds, land warrants, script locations, state selections, swamp lands, railroad and waron road selections. Bedian allotments, it. 15, 122, 124, 01 acres, and indian lands, 17,546, 31 acres as showing as increase of \$50,500,31 acres as sooning as increase of \$50,500,31 acres as compared with the aggregate disposals for

showing an increase of \$50,000,32 acres as compared with the againgate disposals for the preceding fiscal year.

The total cash receipts during the fiscal year from various sources augmente \$7,017.

\$11.38, a decrease of \$2.25,500,9 from the preceding fiscal year.

The total expenses of district land offices, for salaries and commissions of registers and receivers, incidental expense 3 and axpense of depositing public unoneys during the fiscal year ended June 20, 1905, were \$818,339,32, a decrease of \$21,635,17, as compared with the fiscal year ended June 30, 1904.

The aggregate expenditures and estimated.

The aggregate expenditures and estimuted liabilities of the public land service, including expenses of district land officer as stated, were \$1.988,339.75, leaving a net surplus in the United States treasury of \$3.025,-422.03.

The total unappropriated and unreserved area of the public dimain remaining amounts to \$17,527,157 terms.

Unlawful Inclosures of Public Land. With respect to unlawful inclosures, 111 eports of special agents were received durreports of special agents were received during the year, showing an area of 283,377 acres of public land unlawfully inclosed. Through the efforts of the bend agents sixty-nine of such inclosures, embracing 227,180 acres of public land, in we can removed and proceedings are pending to compel the removal in the remaining cases reported, embracing 133,197 acres. Specific instructions have been given the special agents to secure the two byla of all the bullawful fences upon the public lands. Unlawful inclosures of the public domain in the state of Nebraska have been numerous and extensive. Many persons in the western part of the state see a to consider that they possess an interior license to fence public lands. The offenders are often prominent critizens and the courts are remained.

The penalty for the uniawful inclesure of public mids, as prescribed by the act of February 25, 1885 (23 Stat. L., 321), is a fine not exceeding \$1,000 and imprisonment for not exceeding one year for each offense.

Richards-Comstock Case.

Richards-Comstock Case.

After some years of effort and an expenditure of several thousand dollars Bittlett Richards and William G. Comstock, who, through the Nebraska Land and Feeding company, it is all see maintained an uniawful inclosure of more that a quarter of a million acres of public land, were indicted and brought before the court recently for trial. They pleaded guilty, and after consideration of the imatter the court imposed a line in each case of \$300 and sentenced the defendants to the custody of the marshal for six hours!!

One of the most conspicuous facts that has been developed by the so-called land fraud investigations is that the timber and stone act, the desert land act and the commutation chause of the homestead law are the convenient handmaidens of crime; that they have afforded the most effective means for the conspirators with whom we have had to deal to fraudulently transfer the title of the public domain from the government to themselves, and unless they are repealed or materially modified or amended, substantially as heretofore repeatedly recommended in my annual reports and by the Public Lands commission, they will continue to constitute the most dangeroffs menace to the integrity of the public domain.

Executive officers are of necessity very

the public domain.

Executive officers are of necessity very largely dependent upon the endorsers of applicants for public place in determining the fitness of such applicants for the positions sought. If such endorsers will look more carefully into the character, reputation and fitness of the applicants whom they recommend, disregarding all other considerations, protection in a larger measure against this class of offenders will be obtained. the public domain.

I am of opinion that there is no necessity for the continuance of the office of re-ceiver of public moneys for United States land offices and that it would be in the in-terest of both economy and good adminis-tration to abolish the office and vest the duties of receiver in the register, the act to go into effect July 1, 1908. Inherited Lands.

Under the provisions of the act of May 27, 1902 (32 stat. L. 275), sales of allotments of deceased Indians are made under certain rules and resultsions prescribed by the de-partment and all conveyances of such lands

st receive the approval of the secretary partment and all conveyances of such lands must receive the approval of the secretary of the interior.

Rules to govern such sales were originally approved by the denartment June 26, 1862, but in order to meet constantly changing conditions it has been found necessary to amend them from time to time. Prior to September 19, 1904, it had been the practice to turn over to the beneficiaries the whole amount derived from these sales, but on that date an amendment was approved which required the proceeds of such sales to be denosited in a United States denositors, to the credit of the beneficiaries and restricted them to the expenditure of only \$10 ner morth unless otherwise specifically authorized by the commissioner of Indian affairs. This amendment was promulasted without previous notice and prevented the consummation of many schemes for desposition the Indians and has had the effect of checking the recklessness of the Indians and affords them protection against unscrupnious persons.

Pensions. Pensions.

The pensioners on the roll June 30, 1900

Ì	are classified as follows, viz:	
	War Revolutionary:	
	Widows	
	Daughters	
	The street of the street	
	Widows	_7
	Taskin m Wate:	
	Supplyors	2,2
	Widows	3,4
	War with Mexico:	
	Survivors	4,5
	Widows	7,6
	Bervice after March 4, 1861.	
	Civil War:	
	General laws-	
	Invalids	
	Widows	77,6
	Minor children	100
	Mothers	4.6
	Fathers	- 3
	Brothers and sisters	- 1
	Helpless children	- 1
	Act of June 27, 1890-	
	Invalids	160,2
	Widows	\$59,0
	Minor children	9,7
	Mothers	1,0
	Fathers	6.5
	Helpless children	2

THE BEE BULLETIN.

Forecast for Nebraska-Fair and Colder Saturday, Sunday Fair; Warmer in West Portion.

I Senator Mitchell Dies Suddenly. Ryan Balks on Insurance Probe

2 Witte in Ready to Quit. Delayed Limited Train Arrives.

3 News from All Parts of Nebraska. 4 Hearing of Union Pacific Tax Case

Characters Before Police Judge. 5 News from Iowa's Capital City. Taft Reports on the Army. 8 Commercial Club Enjoys a Smoker.

Affairs at South Omaha. Contributions to Bee's Letter Box. Humorous Things in Court Room S High Speed Telegraph Apparatus. 9 Mrs. Rogers Hanged for Murder.

Crowe to Be Tried in January. Miss Connell Loses Dumage Suit. to Editorial. 11 The Bee's Big New Year's Number

Milwaukee's Position on Corn Rate 12 Foot Ball Advocates Win Victory. Commercial Review of the Week. 13 Financial and Commercial News. 15 Council Bluffs and lowa News.

Temperature at Omaha Yesterday: Hour, Deg. Hour. 5 a. m..... 35 1 p. r 6 a. m..... 36 2 p. m 7 a. m..... 35 s a. m. 34 4 p. m. 5 p. m..... 6 p. m..... 9 a. m..... 36 10 п. т..... 37 11 m. m. 40 7 p. m 40 12 m...... 41 p. m 38 9 p. m 35

45

CUSEY BEFORE GRAND JURY

Traffic Manager for Chicago Packing Company Testifies in Kansas City Investigation

KANSAS CITY, Dec. 8 .- Among the inortant witnesses who appeared before the railroad freight rates today were B. S. said: Cusey, general traffic manager for the Schwarzschild & Sulsberger Packing company: Simon C. Bates, formerly a clerk for the Armour Packing company, and George A. Gamble, Kansas City agent for the Le high Valley Railroad company.

road, and son of Thomas C. Platt, United States senator from New York. "Of course I am here as counsel for the

carneity."

ployed by the Wabash railway, but for- I will make a statement and set out my merly a clerk in the general offices of the side of the case." child & Sulsberger Packing company of utter indifference over the matter Chicago, were kept in the grand jury room for the greater part of the day, Mr. Cusey

being recalled once. INDIAN ASSOCIATION MEETS Rev. William Brewster Humphrey Succeeds Mrs. Amelia S. Quinlan

as President. NEW YORK, Dec. 8.-The National Indian association held its annual meeting in this city today, when Mrs. Amelia S Quinlan, who has been president for the last twenty-seven years, tendered her resignation and later was made honorary president. The following officers then were named: President, Rev. William Brewster Humphrey; vice president, Mrs. Walter R. Brooks; eastern vice president, Mrs. Ida Sarah Kinley, New Haven, Conn.; southern vice president, Mrs. E. John Ellis, Covington, La.; western vice president, Mrs. John Bidwell, Chico, Cal.; corresponding and general secretary, George W. Cook; recording secretary, Miss F. Marshall; treasurer, Miss Anna Bennett, and

auditor, Mrs. P. William H. Laird. The association adopted resolutions ask ing congress to adhere to its past decisions against the appropriation of money for the support or aid of sectarian schools.

MRS. HENRY SOLOMON RESIGNS President of Council of Jewish Women is Succeeded by Mrs. Hugo Rosenburg

CHICAGO. Dec. 8.—Mrs. Henry Solomon, who has been president of the Council of Jewish Women since 1832, when the organization first came into existence, retired from the leadership today. As soon as Mrs. Solomon's retirement was announced at today's session, the office of honorary president was created and the retiring president was elected as the first incumbent for life. The following officers were elected for the ensuing year:

President, Mrs. Hugo Rosenburg, Allegheny, Pa.; first vice president, Mrs. Marting Barbe, Chicago; second vice president, Mrs. Marting Barbe, Chicago; second vice president, Mrs. Marting Barbe, Chicago; second vice president, Mrs. M. Puppe, Sioux City, Ia.; recording secretary, Mrs. E. Strauss, Baltimore; treasurer, Mrs. J. B. Ludah, Louisville, Ky, auditor, Mrs. Visch, Providence, R. I.

The office of corresponding secretary was abolished and the office of executive secretary created. Miss Dadie American of New York was elected to the new office.

FINED TEN THOUSAND DOLLARS

Od not think the court intended it other wise.

My understanding of the order was that they were to be restrained of their liberty for six hours, and that was done, under a reliable man and in a reputable place, known to me, and where I could find them at any minute during that period.

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My acquaintance with Richards and Comstock is one of the most casual character, and I sundership to them, and there existed no reason why I should accord to them any favor or unusual indulgence that I would not have thought proper to grant to any other person under similar circumstances.

It may be that I misapprehended my duty in the matter and in not exercising personal that it was remise in official conduct. If so, I beg to assure you that it was without thought or intention of violating the p CHICAGO, Dec. 8.-Mrs. Henry Solomon

Former United States Deputy Marshal

Found Guilty of Padding

Expense Account.

KANSAS CITY, Dec. 8-W. H. Thomas formerly a deputy United States marshal at Springfield, Mo., was fined \$10,000 in the United States district court today for having faisified his expense account with the government. He was indicted by the grand tury several days ago.

Melaner Heads Wisconsin Team MADISON. Wit. Dec. 8.—Arthur Melaner of Yankton, S. D., tonight was electecaptain of the University of Wisconst. foot ball toam for next year. Melaner will be graduated in June, but will return to play during the next season. He is quarterback on the cleven.

Movements of Ocean Vessels Dec. 5 At New York-Arrived: Kroonland, from antwerp: Baltic, from Liverpool: Furnessia from Glasgow, Georgic from Trieste Salled: Hellig Olav, for Christiania. At Moville-Salled: Corinthian, for St. John, N. B. John, N. B. At Liverpool-Arrived; Manchester Corporation, from Philadelphia At Havre-Arrived; Sardinian, from Mon At St. Johns-Arrived: Lucania, from Net

Antwerp-Arrived: Marquette, from

MATHEWS LOSES JOB

United States Marshal for Nebraska is Summarily Removed.

Hitchcock Reports on Land Frauds PRESIDENT EXERCISES HIS AUTHORITY Marshal Mathews is Let Out.

Executive Order Disposing of Incumbent Issued Yesterday.

OUTGROWTH OF RICHARES-COMSTOCK CASE

Execution of Court's Sentence Leads to

Marshal's Dismissal. LETTER ON WHICH ACTION IS BASED

Officer Admits He Turned Prisoners Over to Their Counsel for Time

Mentioned in the Court's Sentence.

WASHINGTON, Dec. s.-The president has summarily removed from office United States Marshal T. L. Mathews of the district of Nebraska for alleged misconduct in connection with the case of Richards and, Comstock, who were recently convicted in that state of illegally fencing the public domain. The sentence of the court was that the defendants should remain in the custody of the United States marshal for six hours. The president has information that Mathews immediately turned them over to the custody of their counsel.

Reporters Brenk the News. The first information Marshal Mathews had that he had been removed from office ederal grand jury in its investigation of was from the newspaper reporters. He

"I have received no word from Washington regarding the matter and the information that I have been removed is certainly a surprise to me. Upon what grounds the action was taken I have no idea. It is true that about a week ago the attorney general Interest in the proceedings was increased wrote to me asking for a statement of what y the arrival today of Frank Platt of New I did with Prisoners Richards and Com-York, counsel for the Lehigh Valley rail- stock after sentence had been pronounced upon them. I made a clear statement of the case to the attorney general. I will not give out that letter for publication at this sehigh Valley railroad," said Mr. Platt. "I time, and neither will I say what I did rehave just arrived, so I should not be ex- garding the prisoners. I will say that in pected to say anything about why I am their case I only followed precedent and here, except that it is in my professional did what has been done upon a hundred occasions before. In the Senator Burton base. Mr. Platt's arrival on the day that the if you remember, after he was sentenced agent of the Lehigh Valley testified before the marshal allowed him to remain with the grand jury was considered to be signifi- his lawyer from Saturday until Monday. cant, but no one connected with the district | The information comes to me as such a attorney's office would say what the coin- surprise that I do not want to make any cidence might mean. It was also thought statement of my side of the case at this interesting that Simon C. Bates, now en- time. After I have thought over the matter

Armour Packing company, and B. S. Cusey. Judge Munger was told of the removal general traffic manager for the Schwarzs- of the United States marshal and expressed "I have nothing to do with the matter and know nothing of it," he said. "There

is nothing for me to say." And the judge esumed his reading. Letter from Mathews to Moody. The Washington correspondent of The Bea furnishes a copy of the letter written by Marshal Mathews in reply to the request of Attorney General Moody of November 28, explaining reasons why he did not per-

sonally take charge of Bartlett, Richards and W. G. Comstock. The letter is dated at Omaha, December 2, and reads: In answer to your letter dated November 23, 1906, I have honor to reply. Referring first to newspaper stories, one paper stated that I took Mesurs. Richards and Comstock to a hotel, where we dined sumptuously and spent the remainder of the evening at the theater. There was not one word of truth in this statement.

and spent the remainder of the evening at the theater. There was not one word of truth in this statement.

The Washington correspondent of the New York Sun stated in his paper that f, in company with defendants, spent six hours in a restaurant and saloons. This also was a straight up and down lie.

I presume other papers had like stories, equally as false. The 'cts are that after the court had passed s' ence on Richards and Comstock I appointed R. S' Hall, who had acted as their attorney and who is a gentleman of the highest character and standing, to take charge of and keep in his custody the defendants for the period stated in the sentence, which he afterward informed me he did, and I include herewith the statement made by Hall, affirming that he executed my instructions and the order of the court in good faith.

My action in this case was not unusual, but was one that is juite frequently done by marshals and sheriffs, and so far as my knowledge of the practice in this district goes it was not exceptional or unusual.

My understanding was and is that sentence in 'the custody of the marshal' for a few hours was mere formality, and did not contemplate or mean severe treatment, and I do not think the court intended it other.

contemplate or mean severe treatment, and do not think the court intended it other

Upon his own statement, as set forth in this letter of the marshal, the attorney gen eral recommended to the president that he be removed from office. What Was Done to the Prisoners.

It has frequently been reported that Marshal Mathews instead of keeping Comstock and Richards in his custody turned them ever to their attorneys. Another report has t that Mr. Mathews took the men to the heater and then to a dinner after the show. Mr. Mathews refused to make a statement t this time regarding his custody of the

isoners. The news of the president's action soon pread through the federal building and not only created much surprise, but also ome apprehension. It was fully an hour after the marshal had been informed of the president's action by the newspapers that he received his telegram from the resident announcing his dismissal.

Pollowing the receipt of this telegram ludge Munger, Clerk Thummell of the nited States circuit court, Marshal Mathws and Deputy Earl Mathews, a son of he marshal, held a lengthy conference in to private office of the marshal to discuss what was to be done and to talk over a tatement to be made to the public. During his time four of the deputies were in the

outer office discussing the disposition of